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ORDER I.

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3. Who may be joined as defendants.
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9. Misjoinder and non-joinder.
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2. Recognized agents.
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11. Service on several defendants.
12. Service to be on defendant in person when practicable, or on his agent.
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    Effect of substituted service.
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7. Relief to be specifically stated.
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1. Parties to appear on day fixed in summons for defendant to appear and answer.
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5. Dismissal of suit where plaintiff, after summons returned unserved, fails for a year to apply for fresh summons.
6. Procedure when only plaintiff appears.
When summons duly served.
When summons not duly served.
When summons served, but not in due time.
7. Procedure where defendant appears on day of adjourned hearing and assigns good cause for previous non-appearance.
8. Procedure where defendant only appears.
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13. Setting aside decree *ex parte* against defendant.
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2. Oral examination of party, or companion of party.
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2. Particular interrogatories to be submitted.
3. Costs of interrogatories.
4. Form of interrogatories.
5. Corporations.
6. Objections to interrogatories by answer.

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7. Setting aside and striking out interrogatories.
8. Affidavit in answer filing.
9. Form of affidavit in answer.
10. No exception to be taken.
11. Order to answer or answer further.
12. Application for discovery of documents.
13. Affidavit of documents.
14. Production of documents.
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16. Notice to produce.
17. Time for inspection when notice given.
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2. Notice to admit documents.
3. Form of notice.
4. Notice to admit facts.
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Production, impounding and return of documents.

1. Documentary evidence to be produced at first hearing.
2. Effect of non-production of documents.
3. Rejection of irrelevant or inadmissible documents.
4. Endorsements on documents admitted in evidence.
5. Endorsements on copies of admitted entries in books, accounts and records.
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9. Return of admitted documents.
10. Court may send for papers from its own records or from other Courts.
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1. Framing of issues.
2. Issues of law and of fact.
3. Materials from which issues may be framed.
4. Court may examine witnesses or documents before framing issues.
5. Power to amend, and strike out, issues.
6. Questions of fact or law may by agreement be stated in form of issues.
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ORDER XV.

Disposal of the suit at the first hearing.

1. Parties not at issue.
2. One of several defendants not at issue.
3 Parties at issue.
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Summoning and attendance of witnesses.

1. Summons to attend to give evidence or produce documents.
2. Expenses of witness to be paid into Court on applying for summons.
Experts.
Scale of expenses.
3. Tender of expenses to witness.
4. Procedure where insufficient sum paid in.
Expenses of witnesses detained more than one day.
5. Time, place and purpose of attendance to be specified in summons.
6. Summons to produce document.
7. Power to require persons present in Court to give evidence or produce document.
8. Summons how served.
9. Time for serving summons.
10. Procedure where witness fails to comply with summons.
11. If witness appears, attachment may be withdrawn.
12. Procedure if witness fails to appear.
13. Mode of attachment.
14. Court may of its own accord summon as witnesses strangers to suit.
15. Duty of persons summoned to give evidence or produce document.
16. When they may depart.
17. Application of Rules 10 to 13.
18. Procedure where witness apprehended cannot give evidence or produce document.
19. No witness to be ordered to attend in person unless resident within certain limits.
20. Consequence of refusal of party to give evidence when called on by Court.
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1. Court may grant time and adjourn hearing.
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2. Procedure if parties fail to appear on day fixed.
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1. Right to begin.
2. Statement and production of evidence.
3. Evidence where several issues.
4. Witnesses to be examined in open Court.
5. How evidence shall be taken in appealable cases.
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8. Memorandum when evidence not taken down by Judge.
9. When evidence may be taken in English.
10. Any particular question and answer may be taken down.
11. Questions objected to and allowed by Court.
12. Remarks on demeanour of witnesses.
13. Memorandum of evidence in unappealable cases.
14. Judge unable to make such memorandum to record reasons of his inability.
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ORDER XIX.

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1. Power to order any point to be proved by affidavit.
2. Power to order attendance of deponent for cross-examination.
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ORDER XX.

Judgment and decree.

1. Judgment when pronounced.
2. Power to pronounce judgment written by Judge's predecessor.
3. Judgment to be signed.
4. Judgments of Small Cause Courts.
Judgments of other Courts.
5. Court to state its decision on each issue.
6. Contents of decree.
7. Date of decree.
8. Procedure where Judge has vacated office before signing decree.
9. Decree for recovery of immovable property.
10. Decree for delivery of movable property.
11. Decree may direct payment by instalments.
Order, after decree, for payment by instalments.
12. Decree for possession and mesne profits.
13. Decree in administration-suit.
14. Decree in pre-emption suit.
15. Decree in suit for dissolution of partnership.
16. Decree in suit for account between principal and agent.
17. Special directions as to accounts.
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19. Decree when set-off is allowed.
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1. Modes of paying money under decree.
2. Payment out of Court to decree-holder.

Courts executing decrees.

3. Lands situate in more than one jurisdiction.
5. Mode of transfer.
6. Procedure where Court desires that its own decree shall be executed by another Court.
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8. Execution of decree or order by Court to which it is sent.
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10. Application for execution.
11. Oral application.
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12. Application for attachment of movable property not in judgment-debtor's possession.
13. Application for attachment of immovable property to contain certain particulars.
14. Power to require certified extract from Deputy Commissioner's register in certain cases.
15. Application for execution by joint decree-holder.
16. Application for execution by transferee of decree.
17. Procedure on receiving application for execution of decree.
18. Execution in case of cross-decrees.
19. Execution in case of cross-claims under same decree.
20. Cross-decrees and cross-claims in mortgage-suits.
21. Simultaneous execution.
22. Notice to show cause against execution in certain cases.
23. Procedure after issue of notice.

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24. Process for execution.
25. Endorsement on process.

Stay of execution.

26. When Court may stay execution.
Power to require security from, or impose conditions upon, judgment-debtor.
27. Liability of judgment-debtor discharged.

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28. Order of Court which passed decree or of appellate Court to be binding upon Court applied to.
29. Stay of execution pending suit between decree-holder and judgment-debtor.

Mode of execution.

30. Decree for payment of money.
31. Decree for specific movable property.
32. Decree for specific performance, for restitution of conjugal rights, or for an injunction.
33. Discretion of Court in executing decrees for restitution of conjugal rights.
34. Decree for execution of document, or endorsement of negotiable instrument.
35. Decree for immovable property.
36. Decree for delivery of immovable property when in occupancy of tenant.

Arrest and detention in the civil prison.

37. Discretionary power to permit judgment-debtor to show cause against detention in prison.
38. Warrant for arrest to direct judgment-debtor to be brought up.
39. Subsistence-allowance.
40. Proceedings on appearance of judgment-debtor in obedience to notice or after arrest.

Attachment of property.

41. Examination of judgment-debtor as to his property.
42. Attachment in case of decree for rent or mesne profits or other matter, amount of which to be subsequently determined.
43. Attachment of movable property, other than agricultural produce, in possession of judgment-debtor.
44. Attachment of agricultural produce.
45. Provisions as to agricultural produce under attachment.
46. Attachment of debt, share and other property not in possession of judgment-debtor.
47. Attachment of share in movables.
48. Attachment of salary or allowances of public officer or servant of railway company or local authority.
49. Attachment of partnership property.
50. Execution of decree against firm.
51. Attachment of negotiable instruments.
52. Attachment of property in custody of Court or public officer.
53. Attachment of decrees.
54. Attachment of immovable property.
55. Removal of attachment after satisfaction of decree.
56. Order for payment of coin or currency notes to party entitled under decree.
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58. Investigation of claims to, and objections to attachment of, attached property.
Postponement of sale.
59. Evidence to be adduced by claimant.
60. Release of property from attachment.
61. Disallowance of claim to property attached.
62. Continuance of attachment subject to claim of incumbrancer.
63. Saving of suits to establish right to attached property.

Sale generally.

64. Power to order property attached to be sold and proceeds to be paid to person entitled.
65. Sales by whom conducted and how made.
66. Proclamation of sales by public auction.
67. Mode of making proclamation.
68. Time of sale.
69. Adjournment or stoppage of sale.
70. Saving of certain sales.
71. Defaulting purchaser answerable for loss on resale.
72. Decree-holder not to bid for or buy property without permission.
Where decree-holder purchases, amount of decree may be taken as payment.
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Sale of movable property.

74. Sale of agricultural produce.
75. Special provisions relating to growing crops.
76. Negotiable instruments and shares in corporations.
77. Sale by public auction.
78. Irregularity not to vitiate sale, but any person injured may sue.
79. Delivery of movable property, debts and shares.
80. Transfer of negotiable instruments and shares.
81. Vesting order in case of other property.

Sale of immovable property.

82. What Courts may order sales.
83. Postponement of sale to enable judgment-debtor to raise amount of decree.
84. Deposit by purchaser and resale on default.
85. Time for payment in full of purchase-money.
86. Procedure in default of payment.
87. Notification on resale.
88. Bid of co-sharer to have preference.
89. Application to set aside sale on deposit.
90. Application to set aside sale on ground of irregularity or fraud.
91. Application by purchaser to set aside sale on ground of judgment-debtor having no saleable interest.
92. Sale when to become absolute or be set aside.
93. Return of purchase-money in certain cases.
94. Certificate to purchaser.
95. Delivery of property in occupancy of judgment-debtor.
96. Delivery of property in occupancy of tenant.

Resistance to delivery of possession to decree-holder or purchaser.

97. Resistance or obstruction to possession of immovable property.
98. Resistance or obstruction by judgment-debtor.
99. Resistance or obstruction by *bonâ fide* claimant.
100. Dispossession by decree-holder or purchaser.
101. *Bonâ fide* claimant to be restored to possession.
102. Rules not applicable to transferee *lite pendente*.
103. Orders conclusive subject to regular suit.

ORDER XXII.

Death, marriage and insolvency of parties.

1. No abatement by party's death, if right to sue survives.
2. Procedure where one of several plaintiffs or defendants dies and right to sue survives.
3. Procedure in case of death of one of several plaintiffs or of sole plaintiff.
4. Procedure in case of death of one of several defendants or of sole defendant.
5. Determination of question as to legal representative.
6. No abatement by reason of death after hearing.
7. Suit not abated by marriage of female party.
8. When plaintiff's insolvency bars suit.
Procedure where assignee fails to continue suit or give security.
9. Effect of abatement or dismissal.
10. Procedure in case of assignment before final order in suit.
11. Application of Order to appeals.
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Withdrawal and adjustment of suits.

1. Withdrawal of suit or abandonment of part of claim.
2. Limitation law not affected by first suit.
3. Compromise of suit.
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2. Notice of deposit.

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3. Interest on deposit not allowed to plaintiff after notice.
4. Procedure where plaintiff accepts deposit as satisfaction in part. Procedure where he accepts it as satisfaction in full.

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1. When security for costs may be required from plaintiff. Residence out of Mysore.
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1. Cases in which Court may issue commission to examine witness.
2. Order for commission.
3. Where witness resides within Court's jurisdiction.
4. Persons for whose examination commission may issue.
5. Commission or request to examine witness not within Mysore.
6. Court to examine witness pursuant to commission.
7. Return of commission with depositions of witnesses.
8. When depositions may be read in evidence.

Commissions for local investigations.

9. Commissions to make local investigations.
10. Procedure of Commissioner. Report and depositions to be evidence in suit. Commissioner may be examined in person.

Commissions to examine accounts.

11. Commission to examine or adjust accounts.
12. Court to give Commissioner necessary instructions. Proceedings and report to be evidence. Court may direct further inquiry.

Commissions to make partitions.

13. Commission to make partition of immovable property.
14. Procedure of Commissioner.

General provisions.

15. Expenses of commission to be paid into Court.
16. Powers of Commissioners.
17. Attendance and examination of witnesses before Commissioner.
18. Parties to appear before Commissioner.

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Suits by Government or by or against Public Officers in their official capacity.

1. Suits by Government.
2. Persons authorized to act for Government.
3. Plaints in suits by Government.
7. Extension of time to enable public officer to make reference to Government.
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ORDER XXVIII.

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1. Officers or soldiers who cannot obtain leave may authorize any person to sue or defend for them.
2. Persons so authorized may act personally or appoint pleader.
3. Service on person so authorized, or on his pleader, to be good service.

ORDER XXIX.

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1. Subscription and verification of pleading.
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ORDER XXX.

Suits by or against firms and persons carrying on business in names other than their own.

1. Suing of partners in name of firm.
2. Disclosure of partners' names.
3. Service.
4. Right of suit on death of partner.
5. Notice in what capacity served.
6. Appearance of partners.
7. No appearance except by partners.
8. Appearance under protest.
9. Suits between co-partners.
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Suits by or against trustees, executors and administrators.

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ORDER XXXII.

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1. Minor to sue by next friend.
2. Where suit is instituted without next friend, plaint to be taken off the file.
3. Guardian for the suit to be appointed by Court for minor defendant.
4. Who may act as next friend or be appointed guardian for the suit.
5. Representation of minor by next friend or guardian for the suit.
6. Receipt by next friend or guardian for the suit of property under decree for minor.
7. Agreement or compromise by next friend or guardian for the suit.
8. Retirement of next friend.
9. Removal of next friend.
10. Stay of proceedings on removal, etc., of next friend.
11. Retirement, removal or death of guardian for the suit.
12. Course to be followed by minor plaintiff or applicant on attaining majority.
13. Where minor co-plaintiff attaining majority desires to repudiate suit.
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ORDER XXXIII.

Suits by paupers.

1. Suits may be instituted in *forma pauperis*.
2. Contents of application.
3. Presentation of application.
4. Examination of applicant.
   If presented by agent, Court may order applicant to be examined by commission.
5. Rejection of application.
6. Notice of day for receiving evidence of applicant's pauperism.
7. Procedure at hearing.
8. Procedure if application admitted.
9. Dispaupering.
10. Costs where pauper succeeds.
11. Procedure where pauper fails.
12. Government may apply for payment of court-fees.
13. Government to be deemed a party.
14. Copy of decree to be sent to Deputy Commissioner.
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2. Preliminary decree in foreclosure-suit.
3. Final decree in foreclosure-suit.
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4. Preliminary decree in suit for sale.
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8. Final decree in redemption-suit.
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10. Costs of mortgagee subsequent to decree.
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12. Sale of property subject to prior mortgage.
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Interpleader

1. Plaint in interpleader suit.
2. Payment of thing claimed into Court.
3. Procedure where defendant is suing plaintiff.
4. Procedure at first hearing.
5. Agents and tenants may not institute interpleader-suits.
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1. Power to state case for Court's opinion.
2. Where value of subject-matter must be stated.
3. Agreement to be filed and registered as suit.
4. Parties to be subject to Court's jurisdiction.
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2. Institution of summary suits upon bills of exchange, etc.
3. Defendant showing defence on merits to have leave to appear.
4. Power to set aside decree.
5. Power to order bill, etc., to be deposited with Officer of Court.
6. Recovery of cost of noting non-acceptance of dishonoured bill or note.
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ORDER XXXVIII.

Arrest and attachment before judgment. Arrest before judgment.

1. Where defendant may be called upon to furnish security for appearance.
2. Security.
3. Procedure on application by surety to be discharged.
4. Procedure where defendant fails to furnish security or find fresh security.

Attachment before judgment.

5. Where defendant may be called upon to furnish security for production of property.
6. Attachment where cause not shown or security not furnished.
7. Mode of making attachment.
8. Investigation of claim to property attached before judgment.
9. Removal of attachment when security furnished or suit dismissed.
10. Attachment before judgment not to affect rights of strangers, nor bar decree-holder from applying for sale.

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ORDER XXXIX.

Temporary injunctions and interlocutory orders.

Temporary injunctions.

1. Cases in which temporary injunction may be granted.
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3. Before granting injunction, Court to direct notice to opposite party.
4. Order for injunction may be discharged, varied or set aside.
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7. Detention, preservation, inspection, etc., of subject-matter of suit.
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2. Grounds which may be taken in appeal.
3. Rejection or amendment of memorandum.
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Stay of proceedings and of execution.

5. Stay by Appellate Court.
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6. Security in case of order for execution of decree appealed from.
7. No security to be required from the Government or a public officer in certain cases.
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Procedure on admission of appeal.

9. Registry of memorandum of appeal.
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10. Appellate Court may require appellant to furnish security for costs.
Where appellant resides out of Mysore.
11. Power to dismiss appeal without sending notice to lower Court.
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Hearing appeal *ex parte*.
18. Dismissal of appeal where notice not served in consequence of appellant's failure to deposit costs.
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20. Power to adjourn hearing, and direct persons appearing interested to be made respondents.
21. Re-hearing on application of respondent against whom *ex parte* decree made.
22. Upon hearing, respondent may object to decree as if he had preferred separate appeal.
Form of objection and provisions applicable thereto.
23. Remand of case by Appellate Court.
24. Where evidence on record sufficient, Appellate Court may determine case finally.
25. Where Appellate Court may frame issues and refer them for trial to Court whose decree appealed from.
26. Findings and evidence to be put on record.
Objections to finding.
Determination of appeal.
27. Production of additional evidence in Appellate Court.
28. Mode of taking additional evidence.
29. Points to be defined and recorded.

Judgment in appeal.

30. Judgment when and where pronounced.
31. Contents, date and signature of judgment.
32. What judgment may direct.
33. Power of Court of Appeal.
34. Dissent to be recorded.

Decree in appeal.

35. Date and contents of decree.
Judge dissenting from judgment need not sign decree.
36. Copies of judgment and decree to be furnished to parties.
37. Certified copy of decree to be sent to Court whose decree appealed from.

ORDER XLII.

Appeals from appellate decrees.

1. Procedure.

ORDER XLIII.

Appeals from orders.

1. Appeals from orders.
2. Procedure.

ORDER XLIV.

Pauper appeals.

1. Who may appeal as pauper.
Procedure on application for admission of appeal.
2. Inquiry into pauperism.

ORDER XLVI.

Reference.

1. Reference of question to Chief Court.
2. Court may pass decree contingent upon decision of Chief Court.
3. Judgment of Chief Court to be transmitted, and case disposed of accordingly.
4. Costs of reference to Chief Court.
5. Power to alter, etc., decree of Court making reference.
6. Power to refer to Chief Court questions as to jurisdiction in small causes.
7. Power to District Court to submit for revision proceedings had under mistake as to jurisdiction in small causes.